

change from Art. 27, §160.

Subsection (b) of this section is new language derived without substantive change from Art. 14A, §50.

The Commission notes that the language of these two provisions, as well as the penalties prescribed for violations of each, contain certain substantive differences, although their purposes are basically the same. The Legislature may consider repealing one or the other of these subsections or consolidating the desirable features of each into one uniform prohibition. Alternatively, the Legislature may wish to amend the applicable penalty provisions.

The penalty provisions of present Art. 27, §160 and Art. 14A, §50 now appear in §18-401 of this title.

18-302. ISSUANCE OF DUPLICATE WAREHOUSE RECEIPT NOT SO MARKED.

EXCEPT AS PROVIDED BY §7-601 OF THIS ARTICLE, A WAREHOUSEMAN OR HIS OFFICER, AGENT, OR EMPLOYEE MAY NOT ISSUE OR AID IN ISSUING A DUPLICATE OR ADDITIONAL NEGOTIABLE WAREHOUSE RECEIPT FOR ANY GOODS:

(1) WITHOUT A CONSPICUOUS NOTATION ON ITS FACE OF THE WORD "DUPLICATE";

(2) WITH KNOWLEDGE THAT THE ORIGINAL WAREHOUSE RECEIPT FOR THE GOODS IS OUTSTANDING AND UNCANCELLED.

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 14A, §52.

The reference to "§14" of Art. 14A, which does not presently exist, is corrected to refer to its successor statute, §7-601 of present Art. 95B, now contained in §7-601 of this article.

The word "conspicuous," which is defined in §18-101, is substituted for "plainly" for purposes of clarity and to conform this section to the similar provisions relating to bills of lading, as contained in §18-202 of this title and, by reference in that section, in §7-402 of this article. See revisor's note to §18-101(c).

The penalty provisions of present §52 now